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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,393	07/27/2007	**Derya Olgen**	042933/312023	8178

826 7590 05/22/2009

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EXAMINER	
YOUSSEF, ADEL Y	
ART UNIT	**PAPER NUMBER**
2618	

MAIL DATE	DELIVERY MODE
05/22/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/583,393	OLGEN, DERYA	
	Examiner	Art Unit	
	ADEL YOUSSEF	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 April 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06/19/2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/16/2009 has been entered.

Claim Objections

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

There are two instances of claim 24.

Response to Arguments

Applicant's arguments have been fully considered by indicating that the argument is moot in view of new ground of rejection.

Claim Rejections - 35 USC § 112

Claim 22 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains "computer program product" nor is there support for the memory having computer readable program instruction which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claim 22 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter "The computer program product comprising at least one computer-readable memory medium " renders the claims non-statutory because in the specification, the applicant doesn't definite the computer program product comprising at least one computer-readable memory medium as "suitable data storage media including digital and analog transmission medium". Since the digital and analog transmission medium is non-tangible medium such as carrier wave and transmission signal, the claimed invention is directed to non-statutory subject matter.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 3, 4, 7, 8, 11-18, 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mankovitz et al. (Patent No: 5134719) and Anttila et al (PGPUB-No: 2004/0198279) in view of Okamoto et al. (patent No: 6697631).

Regarding claim 1, Mankovitz teach a mobile device for receiving supplementary information transmitted with a radio station signal, said mobile device comprising: means for scanning a spectrum of frequencies (mobile user, column 9, lines 65-67, teach the user " means for scanning" to scan up or down the FM band to select a desired broadcast station frequency); means for detecting a plurality of radio stations broadcast within said spectrum of frequencies (Antenna, column 1, lines 15-20, column 2, lines 5-11); means for decoding (radio player, column 4, lines 64, 65), for each of a plurality of detected radio stations (column 9, lines 39, 40, see figure 4), at least one piece of supplementary information broadcast in conjunction with the plurality of radio stations the supplementary information (column 6, lines 28-34, Mankovitz teach FM broadcast station frequencies in the United States, see figures 1and 4); except for means for receiving a search criterion, the search criterion comprising a partial or complete name of a radio station: means for generating a set of radio stations whose

supplementary information matches said search criterion; and means for displaying the set of radio stations whose supplementary information matches the search criterion; and means for receiving a selection of one of the set of radio stations whose supplementary information matches said search criterion, and selecting one of the set of radio stations from the supplementary information displayed on the display means.

However Anttila teach means for receiving a selection of one of the set of radio stations whose supplementary information matches said search criterion (mobile, paragraphs 37, 39, fig 8) and selecting one of the set of radio stations from the supplementary information displayed on the display means (screen, paragraphs 60, 69, see figures 17a, 18). Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify the method of Mankovitz to include search and select of one of the set of radio stations taught by Anttila in order to provide the user chooses the SELECT (#414) option, or optionally in response to expiration of a time out period in which DTE (#310) waits for user input, tuner(#328) tunes to the current frequency displayed and begins playing (#410) the audio broadcast received thereby improve more functions.

Mankovitz & Anttila don't teach means for receiving a search criterion, the search criterion comprising a partial or complete name of a radio station: and means for generating a set of radio stations whose supplementary information matches said search criterion and means for sending the set of at least one piece of supplementary information to a display, wherein each of the at least one piece of supplementary

information associated with the set of radio stations whose supplementary information matches the search criterion are configured to be displayed . However Okamoto teach means for receiving a search criterion (matching the broadcast radio wave), the search criterion comprising a partial or complete name of a radio station : means for generating a set of radio stations whose supplementary information matches said search criterion (matching the broadcast radio wave) means for sending the set of at least one piece of supplementary information(the broadcast station name) to a display, wherein each of the at least one piece of supplementary information associated with the set of radio stations whose supplementary information matches the search criterion are configured to be displayed (LCD#31, see figure 1); (column 9, lines 65-67, column 10, lines 35-45, see figure 5, that teach the broadcast station name (supplementary information) matching the broadcast radio wave (search criterion) sent from that transmission site and the program name of the regional program). Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify the method of Mankovitz & Anttila to include at least one piece of supplementary information associated with the set of radio stations whose supplementary information matches the search criterion are configured to be displayed taught by Okamoto in order to display information from the controller thereby display position information for that station name.

Regarding claim 2, (Cancelled).

Regarding claim 3, Mankovitz further teach an apparatus mobile device as claimed in claim 20, wherein said display means is configured for concurrently displaying a plurality of elements of the set of at least one piece of supplementary information (screen, column 6, lines 28-34, see figure 1, teach the test message which is displayed on a display substantially concurrent with the reproduction of the musical selection).

Regarding claim 4, Mankovitz further teach an apparatus mobile device as claimed in claim 20, wherein said display means is configured to display only one element of the set of at least one piece of supplementary information at a time (screen, column 8, line 13, teach that display text messages).

5-6. (Cancelled).

Regarding claim 7, Anttila further teach an apparatus mobile device as claimed in claim 20, wherein said set of radio stations whose supplementary information matches said search criterion comprises one or more radio stations (paragraph 71, fig 17d).

Regarding claim 8, Mankovitz further teach an apparatus mobile device as claimed in claim 20, wherein the set of the at least one piece of supplementary information comprises a piece of supplementary information for each radio station detected having supplementary information broadcast therewith (column 9, lines 40, 49, see figure 4, teach identifying broadcast audio program selections in FM stereo radio broadcast

systems, the output signal read as supplementary from the block 72 is provided to an FM detector 74, the output of which is provided to filters 76, 78 and 80).

9-10. (Cancelled).

Regarding claim 11, Mankovitz further teach an apparatus mobile device as claimed in claim 20 wherein said selection circuitry is configured to interrupt said scanning circuitry when a radio station is selected (mobile user, column3, 48-62, see figure 4, teach selected musical selection identification information, and for recalling such information at a later time" interrupt", to facilitate the purchase of the album containing that selection and musical selection with sufficient accuracy to enable the subsequent purchase of the album containing that selection).

Regarding claim12, Mankovitz further teach an apparatus mobile device as claimed in claim 20 wherein the supplementary information conforms to at least one of the Radio Data System standard and the Radio Broadcasting Data System standard (column 1, lines 45-50, column 3, lines 15-21).

Regarding claim 13, Mankovitz further teach an apparatus as claimed in claim 20 further comprising receiving circuitry for receiving the radio station signal and decoding circuitry for decoding the radio station signal (column 4, lines 64, 65).

Regarding claim 14, Mankovitz further teach an apparatus as claimed in claim 20 wherein the radio station signal is an audio signal and the device comprises means a speaker for providing the audio signal to a user (speaker, column 1, lines 45-50, column 2, lines 11-13).

Regarding claim 15, Mankovitz further teach an apparatus mobile device as claimed in claim 20 wherein the radio station signal is a frequency modulated signal (column 2, line 16, see figure 1).

Regarding claim 16, Mankovitz further teach a mobile device as claimed in claim 20 wherein the radio station signal is an amplitude modulated signal (column 2, line 16, 35-40, column 3, and lines 6-10).

Regarding claim 17, Mankovitz further teach an apparatus as claimed in claim 1, further mobile device for receiving supplementary information transmitted with a radio station signal, said mobile device comprising: means for storing the at least one piece of supplementary information and information relating to a broadcast frequency of each of a plurality of the detected radio stations (Memory, column 1, lines 66-68, column 2, lines 4-6, column 3, lines 50, 65).

Regarding claim 18, Mankovitz teach a method comprising: scanning a spectrum of frequencies (column 10, lines 4, 5); detecting a plurality of radio stations broadcast

within said spectrum of frequencies(column 1, lines 15-20, column 2, lines 5-11); decoding for each of a plurality of detected radio stations(column 4, lines 64, 65, see figure 4) except for the supplementary information comprising an; receiving a search criterion, the search criterion comprising a partial or complete name of a radio station; filtering the supplementary information to generate a set of radio stations whose supplementary information matches the search criterion; displaying the set of radio stations whose supplementary information matches the search criterion; receiving a selection of one of the set of radio stations whose supplementary information matches the search criterion; and selecting the selected one of the set of radio stations whose supplementary information matches the search criterion. However Anttila the supplementary information comprising an associated radio station name (paragraph 38); receiving a search criterion, the search criterion comprising a partial or complete name of a radio station (paragraph 71, fig 17d); filtering with filtering circuitry the supplementary information to generate a set of radio stations whose supplementary information matches the search criterion (paragraph 70,fig 17c);; receiving a selection of one of the set of radio stations whose supplementary information matches the search criterion (paragraphs 37, 39, fig 8); and selecting the selected one of the set of radio stations whose supplementary information matches the search criterion (paragraphs 60, 69, see figures 17a, 18). Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify the method of, Mankovitz to include search and select of one of the set of radio stations taught by Anttila in order to provide the user chooses the SELECT (#414) option, or optionally in response to expiration of a

time out period in which DTE (#310) waits for user input, tuner(#328) tunes to the current frequency displayed and begins playing (#410) the audio broadcast received thereby improve more functions.

Mankovitz & Anttila don't teach sending a set of at least one piece of supplementary information to a display, wherein each of the at least one piece of supplementary information associated with the set of radio stations whose supplementary information matches the search criterion are configured to be displayed. However Okamoto teach sending a set of at least one piece of supplementary information to a display, wherein each of the at least one piece of supplementary information associated with the set of radio stations whose supplementary information matches the search criterion are configured to be displayed (column 9, lines 65-67, column 10, lines 35-45, see figure 5, that teach the broadcast station name matching the broadcast radio wave sent from that transmission site and the program name of the regional program). Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify the method of Mankovitz & Anttila to include at least one piece of supplementary information associated with the set of radio stations whose supplementary information matches the search criterion are configured to be displayed taught by Okamoto in order to display information from the controller thereby display position information for that station name.

19. (Cancelled).

Regarding claim 20, Mankovitz teach an apparatus comprising: scanning circuitry for scanning a spectrum of frequencies (column 10, lines 4, 5); detection circuitry for detecting a plurality of radio stations broadcast within said spectrum of frequencies (column 1, lines 15-20, column 2, lines 5-11); except for

decoding circuitry for decoding, for each of a plurality of detected radio stations, at least one piece of supplementary information broadcast in conjunction with the plurality of radio stations, the supplementary information comprising an associated radio station name input circuitry for receiving a search criterion, the search criterion comprising a partial or complete name of a radio station; filtering circuitry for generating a set of radio stations whose supplementary information matches said search criterion; ; and selection circuitry for receiving a selection of one of the set of radio stations whose supplementary information matches said search criterion the selection circuitry arranged to select one of the set of radio stations from the supplementary information displayed on the display. However Anttila decoding circuitry for decoding, for each of a plurality of detected radio stations, at least one piece of supplementary information broadcast in conjunction with the plurality of radio stations, the supplementary information comprising an associated radio station name (paragraph 77, teach the radio player application 537 is able to decode the RDS information and, based on the information) input circuitry receiving a search criterion, the search criterion comprising a partial or complete name of a radio station (paragraph 71, fig 17d); filtering the supplementary information to generate a set of radio stations whose supplementary information matches the search criterion (paragraph 70,fig 17c); receiving a selection of one of the set of radio stations

whose supplementary information matches the search criterion (paragraphs 37, 39, fig 8); and selecting the selected one of the set of radio stations whose supplementary information matches the search criterion (paragraphs 60, 69, see figures 17a, 18). Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify the method of, Mankovitz to include search and select of one of the set of radio stations taught by Anttila in order to provide the user chooses the SELECT (#414) option, or optionally in response to expiration of a time out period in which DTE (#310) waits for user input, tuner(#328) tunes to the current frequency displayed and begins playing (#410) the audio broadcast received thereby improve more functions.

Mankovitz & Anttila don't teach sending circuitry configured o send the set of at least one piece of supplementary information, wherein each of the at least one piece of supplementary information associated with the set of radio stations whose supplementary information matches the search criterion are configured to be display. However Okamoto teach sending circuitry configured o send the set of at least one piece of supplementary information, wherein each of the at least one piece of supplementary information associated with the set of radio stations whose supplementary information matches the search criterion (scanning process) are configured to be display (column 9, lines 65-67, column 10, lines 35-45, see figure 5, that teach the broadcast station name matching the broadcast radio wave sent from that transmission site and the program name of the regional program). Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify

the method of Mankovitz & Anttila to include at least one piece of supplementary information associated with the set of radio stations whose supplementary information matches the search criterion are configured to be displayed taught by Okamoto in order to display information from the controller thereby display position information for that station name.

Regarding claim 21, Anttila further teach an apparatus as claimed in claim 20 further comprising: memory (#22)for storing the at least one piece of supplementary information and information relating to a broadcast frequency of each of a plurality of the detected radio stations (paragraph 34, 37).

Regarding claim 22, Mankovitz teach a computer program product comprising at least one computer-readable memory medium having computer-readable program instructions stored therein, the computer-readable program instructions configured to instruct a computer to carry out a method, comprising: scanning a spectrum of frequencies (column 9, lines 65-67, teach the user to scan up or down the FM band to select a desired broadcast station frequency); detecting a plurality of radio stations broadcast within said spectrum of frequencies (column 1, lines 15-20, column 2, lines 5-11); decoding for each of a plurality of detected radio stations (column 4, lines 64, 65), at least one piece of supplementary information broadcast in conjunction with the plurality of radio stations(column 9, lines 39, 40, see figure 4) , the supplementary information comprising an associated radio station names (column 6, lines 28-34, teach

FM broadcast station frequencies in the United States, see figures 1and 4); except for receiving a search criterion, the search criterion comprising a partial or complete name of a radio station; filtering the supplementary information to generate a set of radio stations whose supplementary information matches the search criterion; sending the set of radio stations whose supplementary information matches the search criterion; receiving a selection of one of the set of radio stations whose supplementary information matches the search criterion; and selecting the selected one of the set of radio stations whose supplementary information matches the search criterion. However Anttila teach receiving a search criterion, the search criterion comprising a partial or complete name of a radio station(paragraph 70, fig 17c); filtering the supplementary information to generate a set of radio stations whose supplementary information matches the search criterion (paragraph 71, fig 17d); sending the set of radio stations whose supplementary information matches the search criterion(paragraph 38; fig 2); receiving a selection of one of the set of radio stations whose supplementary information matches the search criterion(paragraphs 37, 39, fig 8); and selecting the selected one of the set of radio stations whose supplementary information matches the search criterion (paragraphs 60, 69, see figures 17a, 18). Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify the method of Mankovitz to include search and select of one of the set of radio stations taught by Anttila in order to provide the user chooses the SELECT (#414) option, or optionally in response to expiration of a time out period in which DTE (#310) waits for user input,

tuner(#328) tunes to the current frequency displayed and begins playing (#410) the audio broadcast received thereby improve more functions.

Regarding claim 23, Okamoto further teach a method as claimed in claim 18, further comprising concurrently displaying a plurality of elements of a set of at least one piece of supplementary information (column 9, lines 45-54).

Regarding claim 24, Okamoto further teach a method as claimed in claim 18, further comprising displaying only one element of a set of at least one piece of supplementary information at a time (column 11, lines 61-67, that controller 19 at this time extracts information such as transmission site identification information detection).

Regarding claim 24, Okamoto further teach a method as claimed in claim 18, wherein the set of radio stations whose supplementary information matches the search criterion (scanning process) comprises one or more radio stations (column 3, lines 38-49).

Regarding claim 25, Okamoto further teach a method as claimed in claim 18, wherein the set of at least one piece of supplementary information comprises a piece of supplementary information for each radio station detected having supplementary information broadcast therewith (column 3, lines 45-53).

Conclusion

The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Any response to this Office Action should be **faxed** to (571) 273-8300 or **mailed to:**

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401 Dulany street

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adel Y. Youssef whose telephone number is 571-270-3525. The examiner can normally be reached on Monday to Thursday 8am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ANDERSON MATTHEW can be reached on (571)272-4177.The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ADEL YOUSSEF/

Examiner, Art Unit 2618

/Matthew D. Anderson/
Supervisory Patent Examiner, Art Unit 2618